

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

WP(C).No. 17127 of 2006(L)

**AGAINST THE ORDER DATED / / IN EP. 54 /2005 IN
ARC.21/1999 of MUNSIF COURT, HOSDRUG**
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PETITIONER:

**PANAYAN NARAYANI, W/O.A.CHANDRAN,
ORIYARA, AMBEDKAR GRAMAM, MAVELIKADAPPURAM P.O.,
VIA PADANNA, KASARAGOD DISTRICT.**

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS:

**THE SECRETARY,
TRIKARIPUR RURAL CO-OPERATIVE HOUSING SOCIETY,
P.O.TRIKARIPUR, TRIKARIPUR VILLAGE,
HOSDURG TALUK, KASARAGOD DISTRICT.**

BY ADV. SRI.V.N.RAMESAN NAMBISAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 09/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C) NO. 17127/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE SALE PROCLAMATION IN EP. 54/05.

**EXT.P2:- COPY OF THE DISCHARGE SUMMARY OF THE PETITIONER'S
HUSBAND DT,. 25.2.06.**

**EXT.P3:- COPY OF THE APPOINTMENT CARD ISSUED BY SHRI SATYA SAI
INSTITUTE OF HIGHER MEDICAL SCIENCES.**

/TRUE COPY/

P.A. TO JUDGE

tss

M.N.Krishnan, J.
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W.P(C).No.17127 of 2006
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Dated this the 11th day of September, 2007.

REVISED JUDGMENT

This case has been suo motu taken up by me on receipt of a report from the Munsiff, Hosdurg. As per the judgment dated 9.7.2007, this Court permitted the writ petitioner to file objection to the sale proclamation and directed the court to finalise the sale proceedings for sale within a period of six weeks. A perusal of the report from the learned Munsiff would reveal that the property had been sold on 9.10.2006 and the sale had been confirmed on 12.12.2006. The sale certificate had been issued and the auction purchaser had filed E.P.No.58 of 2007 for delivery of the property and it stands posted to 18.9.2007. So at the time of passing of the judgment by this Court, nothing remained to be done with respect to the sale of the property.

2. But unfortunately, parties were not able to bring to my notice about the position existant on that day and therefore I

passed an order to give an opportunity to the writ petitioner to file objection to the sale proclamation and to finalise the sale proceedings. In the light of the report of the learned Munsiff, the only thing to be done is to recall the order and judgment passed by me on 9th July, 2007 and dismiss this Writ Petition as nothing survives for consideration. I do so.

Registry is directed to send copy of this judgment to the learned Munsiff for further steps, if any.

M.N.Krishnan,
Judge.